



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

October 11, 2022

**BY ECF**

Hon. Edgardo Ramos  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *ACLU et al. v. Customs and Border Protection et al.*, 21 Civ. 10430 (ER)

Dear Judge Ramos:

This Office represents the defendant agencies in the above-referenced action brought under the Freedom of Information Act. Pursuant to the Court's order, I write respectfully to provide the Court with an updated status report regarding the agencies' outstanding searches and productions in this case, some of which have been delayed from the agencies' original estimates.

***Customs and Border Protection:*** made productions on July 21 and August 31, and expects to make a substantial further production by the end of this week, as well as in the next few weeks to produce a large video file that is causing technological challenges; CBP has conducted additional searches, in part due to leads developed based on its review of the records it initially located, and will determine whether it will have further productions by the second week of November.

***U.S. Secret Service:*** made its production today.

***Federal Bureau of Investigation:*** produced one policy document on June 21 and has since completed its searches; FBI will make monthly productions, for which it review at least 500 pages of responsive documents per month, beginning in mid-November.

***U.S. Marshals Service:*** made its initial production on July 15, 2022; USMS expects to make its second production in the next week, and its third and final production in the next few weeks.

The parties will make their next monthly status report on November 14, 2022. We thank the Court for its consideration of this matter.

Respectfully,

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United States Attorney

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cc: Counsel for plaintiffs (by ECF)